

2007-012882

Klamath County, Oregon



00027344200700128820080086

07/20/2007 10:38:03 AM

Fee: \$56.00



After recording return to:  
Blomquist Family Trust  
4611 Marsh Hawk Dr  
Klamath Falls, OR 97601

Until a change is requested all tax statements  
shall be sent to the following address:  
Blomquist Family Trust  
4611 Marsh Hawk Dr  
Klamath Falls, OR 97601

File No.: 7021-999156 (DMC)  
Date: March 23, 2007

THIS SPACE

### STATUTORY WARRANTY DEED

**City of Klamath Falls, an Oregon Municipal Corporation**, Grantor, conveys and warrants to **Larry J. Blomquist and Judy L. Blomquist, Trustees of the Blomquist Family Trust uad 3/9/04**, Grantee, the following described real property free of liens and encumbrances, except as specifically set forth herein:

**Parcel 1 of Land Partition No. 80-05 Being a Re-Plat of Parcel 3 of Land Partition No. 24-04, Situated in SE 1/4 of the NE 1/4 of Section 18, Township 38 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon.**

**RESERVING UNTO GRANTOR A SLOPE EASEMENT ON THE TERMS AND CONDITIONS SET FORTH IN ATTACHED EXHIBIT A AND DESCRIBED AND DEPICTED IN EXHIBIT B.**

**Subject to:**

1. Covenants, conditions, restrictions and/or easements, if any, affecting title, which may appear in the public record, including those shown on any recorded plat or survey.

The true consideration for this conveyance is **\$5,100,000.00**. (Here comply with requirements of ORS 93.030)

APN: R890581


Statutory Warranty Deed  
- continued

File No.: 7021-999156 (DMC)  
Date: 03/23/2007

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 197.352. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930 AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 197.352.

Dated this 20<sup>th</sup> day of July, 20 07.

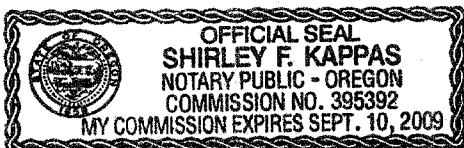
City of Klamath Falls, an Oregon Corporation

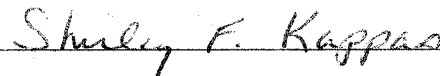
  
By: Jeff Ball, City Manager

  
By: READ & APPROVED BY: Rick  
Whitlock, City Attorney

STATE OF Oregon )  
 )ss.  
County of Klamath )

This instrument was acknowledged before me on this 20<sup>th</sup> day of July, 20 07  
by Jeff Ball as City Manager of City of Klamath Falls, on behalf of the Corporation.



  
Notary Public for Oregon  
My commission expires: 9-10-09

## SLOPE EASEMENT

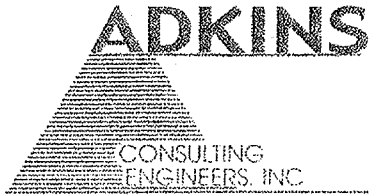
### Exhibit A

As part of the foregoing property conveyance, there is hereby reserved unto Deed Grantor, **City of Klamath Falls, an Oregon Municipal Corporation**, (referred to in this Easement as "City"), a perpetual, exclusive slope easement situated on the Property legally described in the foregoing Deed ("Property"). The Slope Easement is more particularly described in attached Exhibit "B," incorporated herein by this reference (the "Easement Area").

The terms of this Easement are as follows:

1. The Property as described in the foregoing Deed is burdened by this Easement.
2. This Easement shall be used for the purpose of slope easements for the cuts, fills, slopes and embankments utilized in the construction of the roadway in that certain right-of-way created by Deed of Dedication recorded on January 30, 2006 in Volume M06, page 1782, Records of Klamath County, Oregon.
3. Deed Grantee in the foregoing property conveyance (referred to in this Easement as "Blomquists") shall not erect any buildings, landscaping or other permanent structures or facilities within the Easement Area. Blomquists agree that any use by Blomquists of the Easement Area shall not interfere with City's use and enjoyment of the Easement Area.
4. City agrees to indemnify, defend and hold harmless Blomquists from any loss, claim or liability to Blomquists arising out of use of the Easement. City assumes all risk arising out of use of the Easement, and Blomquists shall have no liability to City or others for any condition existing thereon.
5. This Easement and rights reserved herein shall be perpetual.
6. This Easement shall run with the land as to all properties benefited and burdened by this Easement, including any division or partition of the Property. The rights, covenants and obligations of this Easement shall bind, burden and/or benefit each party's successors, assigns, heirs or beneficiaries under deed of trust.

Exhibit "A"



## Description for Slope Easements in Parcel 3 of Land Partition 24-04

Three tracts of land being a portion of Parcel 3 of Land Partition 24-04 recorded in the Office of the Klamath County Clerk, situated in the SE¼ NE¼ of Section 18, Township 38 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, and more particularly described as follows:

Beginning at a point on the east line of New Way, said point being the northwest corner of Parcel 2 of Land Partition 24-04; thence along the north line of said Parcel 2 South 87°53'45" East 335.05 feet; thence leaving said north line 280.71 feet along the arc of a 177.00 foot radius curve to the left having a delta angle of 90°51'57", the long chord of which bears North 46°40'17" East 252.20 feet; thence North 01°14'18" East 277.13 feet; thence 185.40 feet along the arc of a 225.00 foot radius curve to the right having a delta angle of 47°38'09", the long chord of which bears North 25°03'22" East 180.11 feet; thence North 48°52'27" East 12.54 feet to a point on the east line of said Parcel 3; thence along said east line North 01°14'18" East 21.18 feet; thence leaving said east line South 40°38'27" West 55.41 feet; thence South 29°17'52" West 56.15 feet; thence South 20°24'25" West 91.51 feet; thence South 05°28'22" West 68.36 feet; thence South 03°07'25" East 155.77 feet; thence South 11°41'36" West 102.26 feet; thence South 26°05'20" West 52.79 feet; thence South 49°02'33" West 76.03 feet; thence South 64°14'10" West 68.52 feet; thence South 86°54'38" West 158.36 feet; thence North 86°10'04" West 150.14 feet thence South 88°25'45" West 45.95 feet to a point on the east line of New Way; thence along said east line South 00°00'14" East 3.10 feet to the point of beginning, containing 0.27 acres, more or less;

ALSO INCLUDING the following described tract of land: Beginning at a point on the north line of Parcel 2 from which the northeast corner thereof bears South 87°53'45" East 60.18 feet; thence leaving said north line North 34°00'08" West 24.46 feet; thence North 22°34'54" East 40.37 feet; thence 50.43 feet along the arc of a 234.00 foot radius non-tangent curve to the right having a delta angle of 12°20'51", the long chord of which bears South 38°57'53" West 50.33 feet; thence South 39°39'14" East 23.21 feet to the north line of said Parcel 2; thence along said north line South 87°53'45" East 15.02 feet to the point of beginning, containing 0.01 acres, more or less;

ALSO INCLUDING the following described tract of land: Beginning at a point on the east line of Parcel 2 from which the northeast corner thereof bears South 01°14'18" West 174.70 feet; thence leaving said east line South 31°46'29" West 66.48 feet; thence 64.30 feet along the arc of a 234.00 foot radius non-tangent curve to the left having a delta angle of 15°44'42", the long



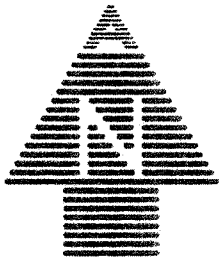
chord of which bears North 09°06'39" East 64.10 feet; thence North 01°14'18" East 277.13 feet; thence 52.63 feet along the arc of a 166.00 feet radius curve to the right having a delta angle of 18°09'59", the long chord of which bears North 10°19'17" East 52.41 feet; thence South 02°14'08" East 276.02 feet to the east line of said Parcel 3; thence along said east line South 01°14'18" West 59.61 feet to the point of beginning, containing 0.15 acres, more or less, with bearings based on County Survey 7038.

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

*D. E. Adkins*

OREGON  
DECEMBER 15, 1978  
DOUGLAS E. ADKINS  
1794

RENEWAL DATE 12/31/07



SCALE: 1" = 100'

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

*D. E. Adkins*

OREGON  
DECEMBER 15, 1978  
DOUGLAS E. ADKINS  
1794

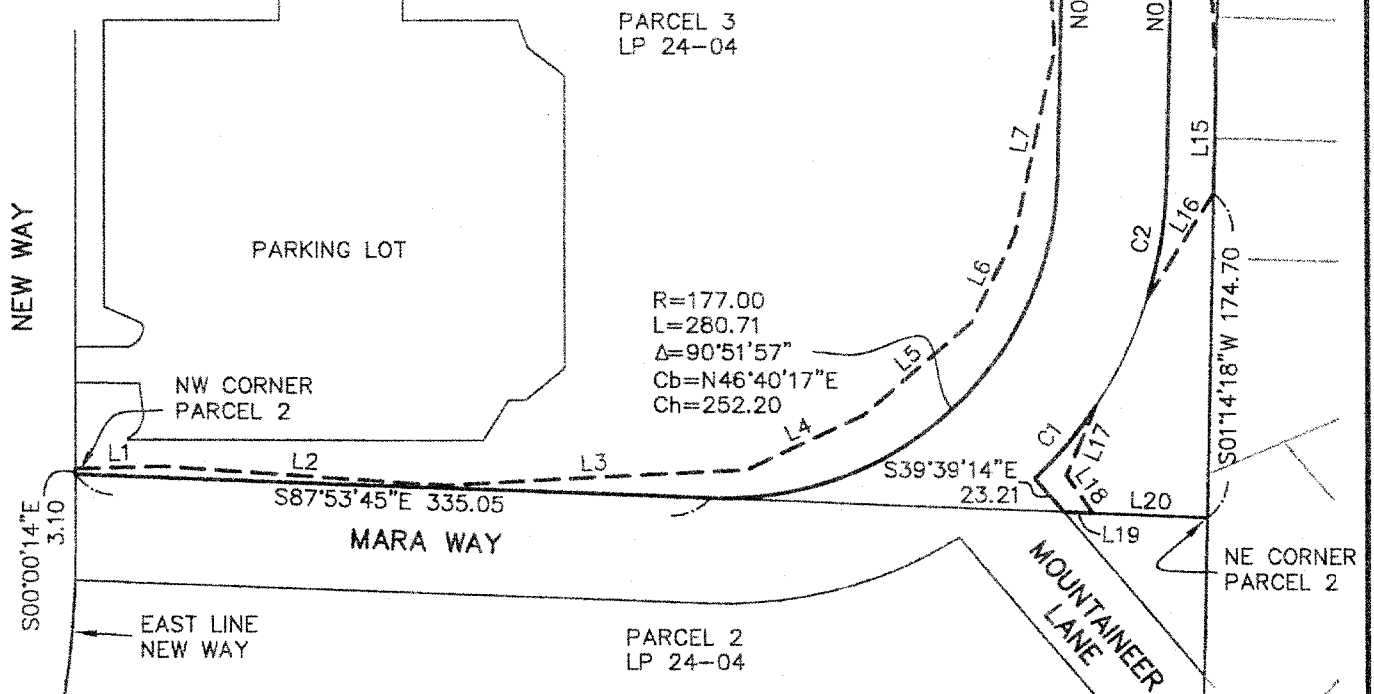
RENEWAL DATE 12/31/05

SLOPE EASEMENT LINE TABLE

LINE	LENGTH	BEARING
L1	45.95	S88°25'45"W
L2	150.14	N86°10'04"W
L3	158.36	S86°54'38"W
L4	68.52	S64°14'10"W
L5	76.03	S49°02'33"W
L6	52.79	S26°05'20"W
L7	102.26	S11°41'36"W
L8	155.77	S03°07'25"E
L9	68.36	S05°28'22"W
L10	91.51	S20°24'25"W
L11	56.15	S29°17'52"W
L12	55.41	S40°38'27"W
L13	21.18	N01°14'18"E
L14	276.02	S02°14'08"E
L15	59.61	S01°14'18"W
L16	66.48	S31°46'29"W
L17	40.37	N22°34'54"E
L18	24.46	N34°00'08"W
L19	15.02	N87°53'45"W
L20	60.18	N87°53'45"W

CURVE TABLE

CURVE	LENGTH	RADIUS	CH BEARING	CHORD	DELTA
C1	50.43	234.00	S38°57'53"W	50.33	12°20'51"
C2	64.30	234.00	N09°06'39"E	64.10	15°44'42"
C3	52.63	166.00	N10°19'17"E	52.41	18°09'59"



ADKINS

CONSULTING  
ENGINEERS, INC.

Engineers ▲ Planners ▲ Surveyors

2950 Shasta Way · Klamath Falls, Oregon 97603 · (541) 884-4666 · FAX (541) 884-5335  
Klamath Falls, OR · Medford, OR · Alturas, CA

DEC. 15, 2005

P3 SLOPE

2621-01

SKETCH SHOWING  
SLOPE EASEMENTS FOR  
MARA WAY AND  
MOUNTAINEER LANE IN  
PARCEL 3 OF LP 24-04

CLOSURE P3 EASEMENTS.txt

PROJECT: 2621-01 gallica 1 valley vista

Figure Name: P3 EASEMENT 1

Course: S 87-53-45 E	Distance: 335.05	
Arc Length: 280.71	Radius: 177.00	Delta: -90-51-57
Course: N 01-14-18 E	Distance: 277.13	
Arc Length: 185.40	Radius: 223.00	Delta: 47-38-09
Course: N 48-52-27 E	Distance: 12.54	
Course: N 01-14-18 E	Distance: 21.18	
Course: S 40-38-27 W	Distance: 55.41	
Course: S 29-17-52 W	Distance: 56.15	
Course: S 20-24-25 W	Distance: 91.51	
Course: S 05-28-22 W	Distance: 68.36	
Course: S 03-07-25 E	Distance: 155.77	
Course: S 11-41-36 W	Distance: 102.26	
Course: S 26-05-20 W	Distance: 52.79	
Course: S 49-02-33 W	Distance: 76.03	
Course: S 64-14-10 W	Distance: 68.52	
Course: S 86-54-38 W	Distance: 158.36	
Course: N 86-10-04 W	Distance: 150.14	
Course: S 88-25-45 W	Distance: 45.95	
Course: S 00-00-14 E	Distance: 3.10	
Perimeter: 2196.36		
Area: 11809.83	0.27 acres	
Mapcheck Closure - (Uses listed courses & COGO Units)		
Error of Closure: 0.013	Course: S 70-57-00 W	
Precision 1: 170071.27		

Figure Name: P3 EASEMENT 2

Course: N 87-53-45 W	Distance: 60.18	
Course: N 34-00-08 W	Distance: 24.46	
Course: N 22-34-54 E	Distance: 40.37	
Arc Length: 50.43	Radius: 234.00	Delta: 12-20-51
Course: S 39-39-14 E	Distance: 23.21	
Course: S 87-53-45 E	Distance: 15.02	
Course: S 87-53-45 E	Distance: 60.18	
Perimeter: 273.85		
Area: 547.74	0.01 acres	
Mapcheck Closure - (Uses listed courses & COGO Units)		
Error of Closure: 0.005	Course: N 14-02-56 E	
Precision 1: 50186.47		

Figure Name: P3 EASEMENT 3

Course: N 01-14-18 E	Distance: 174.70	
Course: S 31-46-29 W	Distance: 66.48	
Arc Length: 64.30	Radius: 234.00	Delta: -15-44-42
Course: N 01-14-18 E	Distance: 277.13	
Arc Length: 52.63	Radius: 166.00	Delta: 18-09-59
Course: S 02-14-08 E	Distance: 276.02	
Course: S 01-14-18 W	Distance: 59.61	
Course: S 01-14-18 W	Distance: 174.70	
Perimeter: 1145.57		
Area: 6581.59	0.15 acres	
Mapcheck Closure - (Uses listed courses & COGO Units)		
Page 1		

Error of Closure: 0.002  
Precision 1: 665026.18

CLOSURE P3 EASEMENTS.txt  
Course: N 89-00-29 W